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SCHEDULES.

A
B I L L

TO

Reform and assimilate the Systems of Local Government A.D. 1877.
in force in Towns in Ireland.

WHEREAS it is expedient that the law relating to municipal elections in Ireland should be amended :

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. This Act may be cited as "The Municipal Elections (Ireland) Act, 1877." Short title.

2. In the construction of this Act the following words and expressions shall, except where the context excludes such construction, be interpreted as follows : Interpretation.

The word "town" shall include a city, town, corporate borough, market town, county of a city, county of a town, or other town in Ireland, and in relation to any governing body shall mean

the area within which such governing body has jurisdiction :

The terms "governing body" and "local rate," in relation to any town described in the first column of the Schedule (A.) to this Act annexed, shall mean the persons or bodies of persons, and the rate in that behalf respectively described in the second and third columns of the said schedule :

The expressions "returning officer" and "town clerk," used in relation to any town described in the said schedule, shall mean the persons in that behalf respectively described in the fourth and fifth columns of the said schedule :

The expression "town hall" shall include the offices of any commissioners, municipal commissioners, town or township commissioners, of any town in which this Act is in force :

The expression "commencement of this Act," in relation to any town mentioned in the first column of the said schedule, shall mean the day on which this Act shall come into force in such town :

[Bill 34.]

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The term "special Act," in relation to any governing body, shall mean and include any and every Act of Parliament under the provisions of which such governing body is constituted, and in the execution of which such governing body is acting :

The word "prescribed," used in this Act in reference to any matter therein stated, shall be construed to refer to such matter as the same shall be prescribed or provided for in the special Act, and the sentence in which such word occurs shall be construed as if instead of the word prescribed the expression "prescribed for that purpose in the special Act" had been used :

The expression "revising barrister" shall mean, with respect to to any city, town, or borough returning a member or members to sit in Parliament, the chairman or barrister having jurisdiction to revise the list of parliamentary voters for such city, town, or borough ; and with respect to any other town, the chairman or barrister having jurisdiction to revise the list of parliamentary voters of the county or the riding thereof within which such town is situated, or the deputy of such chairman or barrister, or any barrister appointed under the provisions of this Act to revise the lists of voters in any town in which this Act is in force :

The word "rent" shall include every reservation or sum or value rendered either in money or otherwise by any tenant, or under any contract for or in respect of the occupation, use, or enjoyment of any lands and premises, and also every fee farm rent, rent seek, head rent, and chief rent :

The expression "Valuation Acts" shall mean the Act of the fifteenth and sixteenth years of the reign of Her present Majesty, intituled "An Act to amend the laws relating to the valuation of rateable Property in Ireland," and any Act or Acts amending the same :

The expression "Poor Law Acts" shall mean the Act of the first and second years of the reign of Her present Majesty, intituled "An Act for the more effectual relief of the destitute Poor in Ireland," and any Act or Acts amending the same ; and the expression "net annual value" used in relation to any lands or premises shall have the same meaning as that expression has under the Poor Law Acts :

The expression "lands and premises" shall include all rateable hereditaments within the meaning of the Poor Law Acts.

3. The provisions of this Act shall come into force in all towns described in the Schedule (A.) to this Act annexed, at the times herein-after respectively mentioned with reference to such towns; that is to say,

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Application
of this Act.

- 5 In every town described in Part I. of the said schedule, from and after the passing of this Act:

In every town described in Part II. of the said schedule which, at the time of the passing of this Act, contains a population exceeding *six thousand*, from and after the passing of this Act:

- 10 In every town described in Part II. of the said schedule which, at the time of the passing of this Act, contains a population not exceeding *six thousand*, from and after the time when the population of such town shall exceed *six thousand*.

- In estimating at any time the population of any town the population mentioned in the census or abstract then last laid before Parliament, as by law required, with reference to such town shall be deemed to be the population thereof: Provided always that this Act shall not cease to be in force in any town in which it has once come into operation in consequence of the number of the population of such town falling below *six thousand*.

- 20 Provided also that until after the formation of the first registers of voters under this Act in any town, all elections shall be held, and all persons shall be qualified to vote in the manner and subject to the conditions in force in such town at the time of the passing of this Act.

4. On the *twenty-fifth day of November* which shall first occur after the formation of the first registers of voters in any town under the provisions of this Act, or, if such day be a Sunday, then on the following day, (which day is in this Act referred to as "the first election"), all the members of the governing body of such town shall go out of office, but shall be eligible for re-election, and on the same day persons shall be elected to be members of such governing body as provided for by this Act.

Existing
governing
bodies, when
to go out.

- In every town in which the day prescribed for the election of the governing body shall occur between the *first day of August* next after the commencement of this Act within such town and the *twenty-fifth day of November* then next following, both inclusive, no election shall be held on such day, but every member of such governing body then holding office shall continue to hold such office until the said *twenty-fifth day of November*, and shall have all the powers and be subject to all the duties and be entitled to the same,

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A.D. 1877. — or a proportion of the same, salary and fees of such office for the time for which he shall act as if he had been elected to such office on the day prescribed for the election of the governing body of such town, and had continued in office until the *twenty-fifth day of November* then next following. 5

One half of members of governing body to be elected by owners, and one half by occupiers.

Number of governing body to be an even number.

5. At and after the first election in any town one half of the members of the governing body, or if such town be divided into wards, one half of the members of the governing body for each ward shall be elected by persons qualified to vote as owners, and shall be styled "owners representatives," and the other half shall be 10 elected by persons qualified to vote as occupiers, and shall be styled "occupiers representatives;" and where before the commencement of this Act the number of members of the governing body of any town, or the number of members of such governing body elected for any ward of such town, was not a number which is 15 divisible by two, the Local Government Board of Ireland may by order under the hand of their secretary, to be published in the Dublin Gazette and in some newspaper circulating in such town, increase or diminish the number of the governing body in such town, or the number of members thereof elected for any ward or 20 wards, or for all the wards therein, so as to make such number a number which is divisible by two; and in making such increase or reduction the Local Government Board shall have regard to the circumstances of each such town and to the provisions of this Act, and may, if they think fit, cause a local inquiry to be held 25 in such town for the purpose of obtaining information as to the circumstances of such town, and the most convenient mode of giving effect to the objects of this Act.

Rotation.

6. The members of the governing body of any town elected at the first election shall go out of office by rotation in the following 30 manner; viz., on the *twenty-fifth day of November* in the year following the first election, *one third* of the members of such governing body shall go out of office, and on the *twenty-fifth day of November* in the following year, another *third* of the members of such governing body shall go out of office, and on the *twenty-fifth 35 day of November* in the following year, the remainder of the members of such governing body shall go out of office, and on the *twenty-fifth day of November* in every subsequent year, *one third* of the members of such governing body (being those who have been longest in office) shall go out of office; and in each instance the 40 places of the retiring members of the governing body, if owners

representatives, shall be supplied by the election on the *twenty-fifth day of November* in each year of a like number of owners representatives, and if occupiers representatives by the election on such day of a like number of occupiers representatives in the manner by this and the special Act provided.

Provided always, that if the number of members of the governing body be some number not divisible by three the governing body shall in each case determine what number of such members, as nearly one third as may be, shall go out of office, so that no member shall remain in office longer than *three years* without being re-elected.

7. In order to determine the rotation by which the first members of the governing body of any town shall go out of office, such governing body shall within one month after the first election meet at some convenient place for the purpose of forming a rotation list, and at such meeting the town clerk or some person to be then appointed for that purpose by such governing body, shall write the names of all the members of such governing body on separate slips of paper, all as nearly as may be of equal size, and having folded them up in the same manner, he shall put them into a ballot box, and shall in the presence of the meeting draw out such slips of paper in succession, and the names upon the slips so drawn shall be written by such town clerk or other person in a list in the order in which they are drawn, or where the governing body are elected for wards in as many lists as there are wards, and in the order aforesaid, each list containing the names of the members of the governing body for one such ward only, and every such list shall be kept by the town clerk among the papers of the governing body, and the names therein shall be numbered consecutively, and the members of the governing body shall retire from office in the order in which their names appear on such list or lists, as the case may be, in the proportions in this Act mentioned.

Manner of making the rotation list.

8. Every member of any governing body going out of office by rotation may be re-elected, and after such re-election he shall with reference to going out by rotation be considered as a new member.

Retiring members eligible to be re-elected.

9. If extraordinary vacancy shall be occasioned in the governing body of any town, the persons entitled to vote at the election of such governing body, or where such town is divided into wards, the persons entitled to vote at the election of the members of such governing body for the ward in which such vacancy has occurred, shall, on a day to be fixed by the returning officer (such day not to

Occasional vacancies of governing body to be filled up by fresh elections.

A.D. 1877. be later than ten days after such vacancy) elect from the persons qualified to be members of such governing body, another person qualified to supply such vacancy: Provided always, that if the member in whose room such person is to be elected was an owners representative, no person not qualified to vote as an owner as 5 herein-after provided shall vote at such election; and if the member in whose room such person is to be elected was an occupiers representative, no person not qualified to vote as an occupier shall vote at such election; and such election shall be held and the voting and other proceedings, in case of a contest, shall be conducted in the 10 prescribed manner; and every person so elected shall hold such office until the time at which the person in the room of whom he was chosen would regularly have gone out of office, and he shall then go out of office, but shall be capable of immediate re-election if then qualified as prescribed. 15

Qualification of Voters.

- Qualification of voters at election of governing bodies. 10. In addition to the persons heretofore qualified by law to vote at the election of members of the governing body of any town in which this Act is in force, every man who is a ratepayer within the meaning of this Act and who is qualified as follows, shall be entitled 20 to be registered and to vote at any such election; (that is to say.)
- In Dublin, as owners; (1.) In the city of Dublin; every man of full age and not subject to any legal incapacity, who is entitled to receive rent arising from any lands and premises situated within the said city (in case such rent shall exceed all rent paid by 25 him in respect of the same lands or premises), or who, if the same were let to a tenant, would be entitled to receive the rent from the tenant thereof, shall, if duly registered, be entitled to vote as an owner:
- As occupiers. (2.) In the city of Dublin; every man of full age and not subject 30 to any legal incapacity, who is the actual occupier as tenant or owner of any house, warehouse, counting-house, or shop situated within the said city, shall, if duly registered, be entitled to vote as an occupier:
- Elsewhere than Dublin, as owners; (3.) In any town except Dublin; every man of full age and not 35 subject to any legal incapacity, who is entitled to receive rent arising from any lands or premises situated within such town, rated under the last rate for the time being at the net annual value of more than *four pounds*, (in case such rent shall exceed all rent paid by him in respect of the 40

same lands or premises,) or who, if the same were let to a tenant, would be entitled to receive the rent from the tenant thereof, shall, if duly registered, be entitled to vote as an owner: A.D. 1877.

- 5 (4.) In any town except Dublin; every man of full age and not subject to any legal incapacity, who is the actual occupier as tenant or owner of any house, warehouse, counting-house, or shop situated within such town, rated under the
10 last rate for the time being at the net annual value of more than *four pounds*, shall, if duly registered, be entitled to vote as an occupier. As occupiers.

Provided always, that no such person shall be entitled to be registered and to vote as aforesaid unless he shall have been rated to the local rate then last levied in respect of such land
15 or premises, and shall have been the owner or occupier of such lands or premises, or other lands or premises of a like nature, within such town, and rated as aforesaid for the space of twelve months at least next preceding the *last day of June* then last
20 past; nor unless he shall on or before such *last day of June* in such year have paid or discharged all such rates as aforesaid as shall have become payable by him in respect of such lands or premises and all poor rates, grand jury cess, and local rates, except
such of the said rates as shall have become payable by him within the six months next preceding such *last day of June*.

- 25 Provided also, that no person being an alien, or who, within the twelve calendar months next preceding the said *last day of June*, shall have received relief by order of any board of guardians, or of any paid officer appointed under the Poor Law Acts, shall be entitled to be registered or to vote. Exception of aliens and paupers.

- 30 11. Every man who is entitled under the provisions of this Act to be registered, and to vote at the election of the governing body, or of any members thereof, of any town described in Part I. of the Schedule (A.) to this Act annexed, shall be deemed to be a
35 burgess of such town, and a member of the body corporate of the mayor, aldermen, and burgesses of such town. Voters in corporate towns to be burgesses.

12. Any person who is qualified to vote both as owner and also as occupier of the same lands and premises shall be entitled to vote both as an owner and also as an occupier. Power to vote both as owners and occupiers.

13. If in any town in which this Act is in force, any person occupying lands and premises is liable to pay a rent, and is also
40 Proportion of rate to be deducted

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from rent by
occupier.

liable to pay local rate in respect of the same, such person may deduct from such rent for each pound of the rent which he shall be liable so to pay one half of the sum which he shall have paid as rate in respect of each pound of the net annual value of such lands and premises (whether such rent shall be greater or less than such net annual value), and so in proportion for any less sum than a pound: Provided always, that in no case shall it be lawful for such person to deduct from such rent a larger sum than one half the amount of the rate which he shall have paid in respect of such lands and premises.

Where more
than one rent
is paid.

14. Where any person receiving rent in respect of any lands or premises shall also pay a rent in respect of the same, he shall be entitled to deduct from the rent so paid by him a sum bearing such a proportion to the amount of local rate deducted from the rent received by him as the rent paid by him bears to the rent received by him: Provided always, that every lessor rated under the provisions of the Local Act, instead of any occupier of lands or premises, shall be entitled to deduct from any rent paid by him in respect of such lands and premises, a sum bearing such a proportion to one half of the entire rate on such property as the rent paid by him bears to the net annual value of such lands and premises.

Restriction
of power of
making de-
ductions.

15. The power by this Act given of making a deduction from any rent payable by any person in respect of rate which has been paid, or in respect of any deduction which has been made from any rent received by such person, shall be subject to the following restrictions:

- (1.) In the case of a person having no greater interest in the lands and premises in respect of which such rate is made than a tenancy at will, tenancy from year to year, or lease or agreement for a term not exceeding one year of such lands or premises in any town, such power shall not be exercised in respect of any rate which shall become payable before the expiration of one year from the day which shall first occur after the commencement of this Act in such town, on which notice may by law be given by the landlord of such lands or premises of his intention to terminate such tenancy:
- (2.) In the case of a lease or agreement for a lease granted or made before the commencement of this Act of any lands or premises in any town for a term exceeding one year, no

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such deduction shall be made in respect of any rate or rent which shall become payable before the expiration of three years from the commencement of this Act in such town, and where any such deduction has been made from any such rent, the person entitled to receive such rent may serve a notice, in the form in Schedule (B.) to this Act annexed, or to the like effect, on the person liable to pay such rent, requiring such person to pay an annual sum equivalent to the proportionate part of the rate or sum deducted from such rent, calculated on the average amount of such rate during the three years next preceding, in addition to the rent previously paid by such person; and from and after the receipt of such notice, such person shall be liable to pay, and shall pay the sum mentioned in such notice in addition to the sum previously payable by such person in respect of rent; and all actions, suits, and proceedings which might have been commenced and prosecuted by the person entitled to receive the rent payable before the service of such notice for the recovery of the same, may be commenced and prosecuted for the purpose of recovering the rent so increased as aforesaid, as fully and effectually as they might have been commenced and prosecuted for the recovery of the rent payable before the service of such notice as aforesaid; and the service of such notice and the recovery of such increased rent as aforesaid by the person entitled to receive the same, shall not be deemed a disturbance of such tenant in his holding by the act of the landlord within the meaning of "The Landlord and Tenant (Ireland) Act, 1870."

16. In all cases the receipt for local rate in respect of any lands or premises in any town in which this Act is in force shall be accepted by every person entitled to receive rent in respect of the same lands and premises in lieu of such a sum of money, and in full consideration of such portion of rent as the person tendering such receipt is hereby entitled to deduct from such rent by reason of his payment of the rate for which such receipt shall be given: Provided always, that no deduction on account of any payment of rate under this Act shall be held to be a discharge of any portion of any gale or quarterly or other payment of rent due from the person entitled to make such deduction, so as to prejudice the right of any landlord to recover the possession of any lands or premises by ejection for non-

Receipts for rates to be taken in payment of rent.

A.D. 1877. payment of the rent thereof in any case where the remaining portion of such gale shall be unpaid, but that it shall and may be lawful for such landlord to proceed for the recovery of such lands and premises by ejectment, as effectually as if the entire gale or quarterly or other payment of rent out of which such deduction is hereby allowed had remained wholly due and unpaid: Provided also, that no deduction shall be made from any rentcharge granted by way of jointure, or any other rentcharge or annuity granted, limited, or devised for a life or lives in being only, or for years determinable on a life or lives in being. 10

Definition of ratepayer.

17. Every occupier paying local rate and not entitled to deduct the whole thereof from the rent paid by him, and every person receiving in respect of any lands or premises rent from which any deduction shall be made on account of local rate, in case such rent shall exceed all rent paid by him in respect of the same lands or premises, shall be deemed to be a ratepayer within the meaning of this Act. 15

Elector to have plural votes in proportion to property.

18. At every election of the governing body of any town in which this Act is in force, when a local rate shall have been made, every ratepayer who under the last of such rates shall have paid or be liable to pay rate (whether in one or in more than one sum or charge) in respect of lands and premises in such town, shall (if registered) have a vote or votes according to the scale herein-after mentioned; (the number of votes in the case of an occupier to be computed and allowed in respect of the net annual value of the lands and premises occupied by him, and in the case of a person receiving rent and contributing rate in respect thereof to be computed and allowed according to the net amount of the rent received by him after deducting therefrom all rent which he may be liable to pay, and in respect of which he may be entitled to deduct from the rate contributed). 20 25

Where the net annual value of such lands and premises so occupied or the net amount of such rent,—

Shall not amount to <i>twenty pounds</i>	-	-	-	one vote;	
Shall amount to <i>twenty pounds</i> and not to <i>fifty pounds</i>	-	-	-	two votes;	35
Shall amount to <i>fifty pounds</i> and not to <i>one hundred pounds</i>	-	-	-	three votes;	
Shall amount to <i>one hundred pounds</i> and not to <i>one hundred and fifty pounds</i>	-	-	-	four votes;	40

Shall amount to *one hundred and fifty pounds* and
 not to *two hundred pounds* - - - *five votes* ;
 Shall amount to *two hundred pounds and upwards* - - - *six votes* :

A.D. 1877.

- And in every case, except where the same person claims to vote
 5 both as owner and also as occupier in respect of the same lands
 and premises, if the occupier paying rates shall not be entitled to
 deduct any part thereof from any rent paid by him, he shall have
double the number of votes above mentioned, and where the net annual
 value of the rateable property shall exceed the rent paid by the
 10 occupier he shall, in addition to his votes as occupier, have the same
 number of votes as owner as if such excess of net annual value
 were rent received and retained by him without deductions; and
 for the purpose of ascertaining the number of votes to which a
 ratepayer shall be entitled, the aggregate amount of the valuation
 15 under the Valuation Acts of the lands and premises in respect of
 which he claims to vote shall be taken to be the annual value
 thereof.

19. In case two or more ratepayers shall be jointly liable to pay
 local rate, each of them shall be entitled to vote according to the
 20 proportion and amount which shall be borne by him, and where one
 only of the persons jointly liable shall claim to vote, he shall be
 entitled to vote in respect of the whole of the lands and premises
 in respect of which such ratepayers may be jointly liable.

20. In cases of lands or premises belonging to or occupied by
 25 any corporation aggregate, or any joint stock or other company, or
 any department of the Imperial Government, no member of such
 corporation, or proprietor of or interested in such company or officer
 of such department shall be entitled to vote in respect thereof, but
 any officer of such corporation or company or department of the
 30 Imperial Government, as the case may be, whose name shall be
 registered by the order or direction of the governing body of such
 corporation or of the directors of such company or of the chief
 officer or secretary of such department of the Government as their
 proxy, shall be entitled to vote either as owner or occupier, or both
 35 as owner and as occupier, as the case may be, in respect of such
 lands or premises in the same manner as if he were himself qualified
 to vote as owner or occupier, or both as owner and as occupier, in
 respect thereof.

21. Every man of full age (not being in holy orders or a regular
 40 minister of any religious denomination) whose name appears on
 (34.) B 2

Joint rate-
 payers, how
 to vote.

Corporations
 and compa-
 nies, and
 government,
 how to vote.

Qualification
 of members
 of governing
 body :

A.D. 1877. any register of voters of any town described in the first column of the Schedule (A.) to this Act annexed, and who is qualified as follows, shall be eligible to be elected a member of the governing body of such town; that is to say,

as owners
representa-
tives. Every such man who is seised or possessed of real or personal property, or both, of the clear value of *five hundred pounds* or upwards above what will satisfy his debts, shall be eligible to be elected as an owners representative :

as occupiers
representa-
tives. Every such man who is in actual occupation of any house, ware-house, counting-house, or shop within such town, rated at the net annual value of *twelve pounds* or upwards under the Poor Law Acts, shall be eligible to be elected as an occupiers representative :

Provided always, that if two or more persons be jointly seised or possessed of real or personal property, or both, of such value or amount as would, if equally divided between them, qualify each to be elected, or if two or more persons be jointly rated in respect of any property which, if equally divided between them, would qualify each to be elected, each of the persons so jointly seised, possessed, or rated may be elected, but the same property shall not at the same time qualify both the owner and the occupier thereof.

Disqualifi-
cations.

22. No bankrupt or other person not qualified as aforesaid shall be capable of being elected as aforesaid ; and if any person after being so elected shall lose or discontinue to hold his qualification or shall be declared bankrupt, or shall compound with the creditors, or if any member elected under this Act shall accept or hold any office or place of profit under the governing body, of which he is a member, or shall in any manner be concerned in any bargain or contract entered into by such governing body, or participate in the profit thereof, or of any work done under the authority of the local Act in or for the town for which he is member, then and in every such case such person shall, except in the cases next herein-after provided, cease to be such member, and his office as such shall thereupon become vacant ; and any person who, not being duly qualified to act as member of the said governing body, or who after being disqualified or disabled from acting by any provision of this Act, shall so act, shall for every such offence be liable to a penalty of *fifty pounds*, which may be recovered by any person, with full costs of suit, by action of debt ; and in such action it shall be sufficient for the plaintiff to prove in the first instance that the defendant at the time when the offence is alleged to have been committed, acted as such

member, and the burden of proving qualification or negating dis-
 qualification by reason of not being seised or possessed of the requisite
 real or personal estate, or both, shall be upon the defendant: Pro-
 vided always, that no person being a proprietor, shareholder, or mem-
 5 ber of any company or concern established for the supply of water
 or for the carrying on of any works of a like public nature, shall be
 disabled from being, continuing, or acting as member of the said
 governing body by reason of any contract entered into between such
 company or concern and such governing body, but no such person
 10 shall vote as member of the said governing body upon any question
 in which such company or concern is interested: Provided also,
 that all acts and proceedings of any person disqualified, disabled, or
 not duly qualified as aforesaid, shall, if done previously to the
 recovery of the last-mentioned penalty, be valid and effectual to all
 15 intents and purposes whatsoever.

Registers of Voters.

23. On or before the *first day of August* which shall first occur
 after the commencement of this Act in any town, every corporation
 aggregate, joint stock or other company, and department of the
 20 Imperial Government, and every person whose name does not appear
 in the valuation list of rateable property within such town made
 under the Valuation Acts, and who claims to be entitled to vote at
 the election of the governing body, or of any members thereof
 of such town, and in every year except the first, every such cor-
 25 poration, company, department, or person whose name or the name
 of whose proxy does not appear on any register of voters made
 under this Act for the previous year, shall deliver to the town
 clerk a notice in writing in the form marked (1) in the Schedule (C.)
 to this Act annexed, or to the like effect, giving his or their name
 30 and address, and containing a description of the nature of his or
 their interest or estate in the lands or premises in respect of which
 he or they claim to be entitled to vote, and a statement of the
 amount of all rent which he or they may receive or pay in respect
 thereof, and of the person or persons from whom he or they may
 35 receive, or to whom he or they may pay the same, and also stating
 the number of votes which he or they claim to be entitled to under
 the provisions of this Act at the election of the governing body of
 such town or of the members of such governing body for any ward
 thereof, and no proxy shall be entitled to vote on behalf of any
 40 corporation aggregate, joint stock or other company, or depart-

Who to send
 in claims to
 vote.

A.D. 1877. — ment of the Government, unless such notice contain the name and address of such proxy, and a true copy of the resolution, minute, or order containing the appointment of such proxy.

Town clerk
to prepare
lists of per-
sons entitled
to vote.

24. On or before the *third day of August* in every year after the commencement of this Act in any town, the town clerk shall make 5 out from the notices delivered to him under the provisions of this Act, by persons claiming to vote, or to appoint proxies to vote in the election of the governing body or of any member thereof of such town, and also from the valuation list of rateable property within such town made under the Valuation Acts, separate lists of all persons 10 who shall appear to be entitled to be registered and to vote as owners and as occupiers respectively as aforesaid, and all the names in each such list shall be arranged alphabetically and numbered, beginning the numbers from the first name in each such list and continuing them in a regular series to the last name in such list; 15 and every such list shall be made out according to the form numbered (2.) in the Schedule (C.) to this Act annexed, or to the like effect, with so many columns as may be necessary for the insertion of the particulars herein-after mentioned of the several cesses, rates, or taxes payable within such town, and of the number of votes to 20 which any person whose name is entered on any such list appears to be entitled: Provided always, that in every town divided into wards, there shall be separate lists for those entitled to vote as owners and as occupiers respectively in each ward, and that the names of the persons appearing to be entitled as aforesaid to be 25 registered and to vote as aforesaid, shall be entered in the lists for the ward wherein the lands or premises by the ownership or occupation and rating whereof they may appear to be so entitled shall be situate, and the town clerk shall two days at the least before the *third day of August* in every year, summon or cause to be 30 summoned the collectors of all rates for the relief of the poor, and of grand jury cesses, and local rates, and of all rates and taxes payable in respect of premises within such town, to attend at his office at such time or times within the seven days next succeeding the said *third day of August* as he shall think necessary, with 35 all necessary books, papers, vouchers, and accounts, and they and each of them shall themselves, or by their sufficient deputies, attend accordingly at the office of the said town clerk, and shall in such order as the said town clerk shall direct for the more convenient despatch of business, enter in the columns of the said 40 lists appropriated to the taxes, rates, or cesses within their collection respectively, the amount of the last tax, rate, or cess paid by each

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person named in such lists, or paid on account of the premises in respect whereof such person may be entitled to be registered as aforesaid, and the date of such payment and the amount of the tax, rate, or cess (if any) then due and unpaid by each such person, or in respect of such premises as aforesaid, and the date when the same became due and payable, and shall sign the said columns, and on the completion of the entries so to be made in the said lists, the said town clerk shall cause a notice thereof to be fixed on or near the outer door of the town hall, or in some public and conspicuous place within the town, and shall keep the said lists in his said office to be perused by any person without payment of any fee at all reasonable hours on every day (Sundays excepted) between the *twelfth* and the *twenty-fourth days of August* both inclusive, and shall deliver a copy thereof or any extract therefrom to any person requiring the same on payment of a reasonable price not exceeding one halfpenny for every name with the entries attached thereto which may be included in such copy or extract so required, and such copy or extracts as aforesaid shall be delivered by the town clerk within four days from the date of the application.

25. Any collector who shall neglect to perform the duties hereinbefore described shall forfeit a sum not exceeding *twenty pounds*, to be recovered by civil bill in any court having jurisdiction within such town by any person who shall sue for the same, one half to be paid to the person who shall sue for the same, and the other half, after deducting the expenses of so suing, to be ascertained by such court, to be paid to Her Majesty, her heirs and successors.

Penalty on collectors, &c. neglecting their duties.

26. Every person whose name shall have been omitted in any such list, and every corporation, company, and department of the Imperial Government the name of whose proxy shall have been omitted from any such list, and who shall claim to have his name or the name of such proxy inserted on any register of voters, or who claims to be entitled to a larger number of votes than the number which such person or proxy is stated to be entitled to in such list, shall, on or before the *twenty-fourth day of August* in every year, give notice thereof to the town clerk in writing, according to the form number (L.) in the said Schedule (C.), or to the like effect; and every person whose name shall have been inserted in any such list for any town may object to any other person whose name appears on the same or any other list as not being entitled to have his name inserted on any register of voters for such town, or as not being entitled to as many votes as he is stated to be

Persons omitted from lists to give notice to the town clerk.

A.D. 1877. entitled to in such list; and every person so objecting shall, on or before the *twenty-fourth day of August* in every year, give to the town clerk, and also to the person objected to, or leave at the premises in respect of which the name of such person shall have been inserted in such list, notice thereof in writing according to the form 5 number (3.) in the said Schedule (C.), or to the like effect; and the town clerk shall include the names of all persons so claiming to have their names inserted as "owners" and "occupiers," respectively, in separate lists, each of which lists shall be according to the form number (4.) in the said Schedule (C.), and shall also 10 insert the names of all persons objected to (whether such persons are entered as "owners" or as "occupiers") in separate lists according to the form number (5.) in the said Schedule (C.), and where such claim or such objection is made on account of the number of votes which any person is stated to be entitled to, the 15 town clerk shall specify in such lists the number of votes claimed or objected to, as the case may be, and shall cause copies of such lists to be fixed on or near the outer door of the town hall, or in some public and conspicuous situation within such town during the eight days next preceding the *eighth day of September* in every year, and 20 the town clerk shall likewise keep a copy of the names of all the persons so claiming as aforesaid, and also a copy of the names of all persons so objected to as aforesaid, to be perused by any person without payment of any fee at all reasonable hours during the eight days (Sunday excepted) next preceding the *eighth day of September* 25 in every year, and shall deliver a copy of each of such lists to any person requiring the same on payment of a sum not exceeding one shilling for each copy.

Revision of
lists.

27. In every year in which this Act shall be in force in any town in Ireland the revising barrister having authority to revise the 30 register of parliamentary voters within such town, or for the county within which such town is situated, shall between the *eighth day of September* and the *tenth day of November* hold an open court within such town for the revision of the several lists so made out by the town clerk as aforesaid, and shall, *ten days* at least before 35 the holding of the said court, give notice to the town clerk of the time at which the said court will be holden, and the said town clerk shall forthwith cause public notice thereof to be given by advertisement in one or more of the newspapers circulating in the district within which such town is situated, and shall cause a sufficient number 40 of the copies of the said notice to be written or printed and published and posted in such town, and shall deliver copies thereof to the

- collectors of all rates for the relief of the poor and of all grand jury cesses and local rates, and of all rates and taxes payable in respect of premises within such towns, and to all other persons who shall have assisted or taken part in preparing any of the said lists, requiring them and each of them to attend such court, and the said persons shall attend such court and every lawful adjournment thereof, and shall answer upon oath all such questions as shall be put to them by the revising barrister presiding at such court touching anything done by them in execution of the provisions of the Act, and on the holding of such court, the town clerk shall bring the several lists so made out by him as aforesaid before such court, and the revising barrister shall at such court or at some lawful adjournment thereof revise the said lists, and shall upon sworn testimony or any other evidence satisfactory to such revising barrister amend the said lists by expunging therefrom the name of every person whose name shall appear therein who shall not be qualified, and by inserting therein the name of every person who shall be qualified to register and vote at the election of the governing body of such town or of any member thereof, and by increasing or reducing the number of votes to which any person mentioned in any such list is therein stated to be entitled, and by correcting and supplying all errors and omissions which shall be found in any of the said lists; and the said revising barrister shall write his initials against the names respectively expunged or inserted, and against the names of any persons the number of whose votes shall have been increased or diminished, and against any part of the said lists in which any error shall have been corrected, or any omission supplied, or any insertion made by him, and shall sign his name to every page of the several lists so settled, and when the revising barrister shall have revised, settled, and signed as aforesaid all the said several lists for any such town he shall cause the same to be delivered to the town clerk, who shall place and preserve the same among the records of the office and shall allow the same to be inspected at all reasonable times without hindrance, fee, or reward. Provided always, that it shall be lawful for the said revising barrister to adjourn the court for the purpose of revising the said lists from time to time up to and including the *tenth day of November* in each year.

Every revising barrister shall be remunerated at the rate of *ten guineas* for every day or part of a day he shall be so employed.

28. In case it shall appear to the Lord Lieutenant or other chief governor or governors of Ireland that from any cause the lists of

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Additional
revising bar-
risters may
be appointed.

A.D. 1877. voters in any year for any town cannot be revised by the revising barrister within the period directed by this Act, he may appoint one or more additional barrister or barristers of not less than *five years* standing at the bar to act together with or in the place of such revising barrister or in such revision, and such barrister or barristers 5 so appointed shall have the same powers and authorities in every respect in regard to such revision, and shall be remunerated at the same rate, as such revising barrister.

Revised lists to be copied by town clerk into a book.

29. The town clerk shall keep the lists so revised, signed, and delivered to him as aforesaid, and shall cause the said lists to be 10 fairly and truly copied into two general lists in two books to be by him provided for that purpose, in one of which books, to be called the "owners register," the names of all persons entitled to vote as owners, and in the other, to be called the "occupiers 15 register," the names of all persons entitled to vote as occupiers shall be entered, and such names shall be arranged alphabetically in each ward (where the town is divided into wards) with every name therein numbered, beginning the number from the first name in the first ward, and continuing them in a regular series to the last name in the last ward, and shall cause such books to be com- 20 pleted on or before the *twentieth day of November* in every year, and shall deliver such books together with the lists at the expiration of his office to the person succeeding him in such office; and such books shall be the registers of the persons entitled to vote as owners and occupiers respectively, at any election of the governing body 25 of such town, or of any members thereof, which may take place between the *twenty-fifth day of November* inclusive in the year wherein such register shall have been made and the *twenty-fifth day of November* in the succeeding year, or until a new register of voters shall have been made. 30

Copies of registers, &c. to be made for sale.

30. The town clerk of every town in which this Act is in force shall cause to be written or printed copies of the registers of voters in every year, and shall deliver such copies to all persons applying for the same on payment of a reasonable price for each copy, not exceeding the sum of *threepence* for every *hundred* names, and so in 35 proportion for any lesser number; and the moneys arising from the sale thereof, and of the town clerk's lists, and of the lists of claims and objections as aforesaid, shall be applied in aid of the local rate.

Compensation to officers.

31. The governing body of any town in which this Act is in force may, on the petition of any person whose office or employment 40 is abolished by or under this Act, inquire whether any and, if any,

what compensation ought to be made to the petitioner, regard being had to the conditions on which his appointment was made, the nature of his office or employment, and the duration of his service; and if they think that his claim to compensation is established, they may award to him such compensation as under the circumstances of the case they think just and reasonable. A.D. 1877.

32. The governing body of every town in which the Act is in operation shall take an account of the reasonable expenses incurred in carrying into effect the several provisions of this Act, so far as relates to the said lists, the registers of voters, and also to the remuneration of the revising barrister engaged in revising such lists as aforesaid, and shall order the same to be paid out of the local rate. Expenses, how to be defrayed.

33. Any summons, notice, writ, or proceeding of any kind whatsoever to be served under the provisions of this Act upon any member of any governing body or upon any town clerk may be served upon him by being left at or sent through any post office to such member or to such town clerk, directed to him at the town hall or by being delivered to such member or to such town clerk personally; and in all cases in which any notice is by this Act required to be given to the owner or occupier of any premises it shall be sufficient to address the notice to such owner or occupier by the description of such owner or occupier (as the case may require) of the premises (naming them) in respect of which the notice is given, without further name or description, and the notice shall be served upon such owner or occupier, as the case may require, either personally or by delivering the same to some inmate of his or their place of abode, or in the case of the occupier and also in the case of the owner (if his place of abode be unknown), upon some inmate of the premises in respect of which such notice is given, or if there be no inmate in such premises, then in case the notice is required to be served on the occupier, and in case of the owner also (if his place of abode be unknown), it shall be sufficient to fix the notice upon some conspicuous part of such premises: Provided always, that in cases of notices to the owner, although his place of abode be known to the person delivering such notice, yet if it be not within the town it shall be sufficient to transmit any notice directed to him by name through the post. Delivery of notices.

Procedure at Elections.

34. Every election of the governing body or of any member thereof in any town in which this Act is in force shall be conducted in all respects in the manner in which such election would have Elections of governing body, how to be conducted

[34.]

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A.D. 1837. been conducted if this Act had not been passed, subject to the following modifications:

- (1.) Two forms of nomination papers shall be provided; one form (each of which shall be headed "owners nomination paper") shall be used exclusively for the nomination of 5 candidates for the office of owners representatives, hereinafter called "owners candidates"; and the other form (each of which shall be headed "occupiers nomination paper") shall be used exclusively for the nomination of candidates for the office of occupiers representatives, hereinafter called "occupiers candidates":
- (2.) In the case of a poll at any election two forms of ballot papers shall be provided; one form (each of which shall be headed "owners ballot paper," and shall contain a list of owners candidates) shall be used exclusively for the 15 election of owners representatives; and the other form (each of which shall be headed "occupiers ballot paper," and shall contain a list of the occupiers candidates) shall be used exclusively for the election of occupiers representatives: 20
- (3.) The presiding officer at every election shall deliver to each elector as many ballot papers as the votes which according to the register of voters such elector is entitled to give at such election, and the number stated in the copy of the register to be the number of each elector shall be marked on 25 the counterfoil of every ballot paper given to such elector; and such elector shall record his vote on every such ballot paper, and shall dispose of the same in the manner prescribed in the Ballot Act, 1872, with respect to the ballot paper therein mentioned: 30
- (4.) Separate ballot boxes shall be provided to receive the ballot papers of the electors entitled to vote as owners and as occupiers respectively, and each of such ballot boxes shall have the words "owners ballot box" or "occupiers ballot 35 "box," as the case may be, distinctly painted or written on the outside thereof.

SCHEDULES.

SCHEDULE (A.)

1st Column.	2nd Column.	3rd Column.	4th Column.	5th Column.
Description of Town.	Governing Body.	Local Rate.	Returning Officer.	—

PART I.

5				
	The city of Dublin.	The lord mayor, aldermen, and burgesses acting by the town council.	The borough rate.	The lord mayor.
10	Towns corporate.	The mayor, aldermen, and burgesses acting by the town council.	The borough rate.	The mayor.
15				

PART II.

20	Towns containing a population of six thousand having commissioners appointed by virtue of an Act made in the sixth year of the reign of George the Fourth, intimated "An Act to make provision for the lighting, cleansing, and watching of cities and towns corporate and market towns in Ireland in certain cases."	The commissioners.	The rate which the commissioners are authorised to make, impose, collect, and levy under the provisions of the said Act of the sixth year of the reign of George the Fourth.	The chairman of the commissioners.	The clerk to the commissioners.
25					
30					
35	Towns containing a population of six thousand having municipal commissioners under 3 & 4 Vict. c. 108.	The municipal commissioners.	The borough rate.	The chairman of the municipal commissioners.	The clerk to the municipal commissioners.
40					
45	Towns containing a population of six thousand having town commissioners under the Town Improvement (Ireland) Act, 1854 (17 & 18 Vict. c. 183.).	The town commissioners.	The rate which the commissioners are authorised to make and levy under the provisions of the Town Improvement (Ireland) Act, 1854, 17 & 18 Vict. c. 183.	The chairman of the township commissioners.	The clerk to the town commissioners.

A.D. 1877.

1st Column.	2nd Column.	3rd Column.	4th Column.	5th Column.
Description of Town.	Governing Body.	Local Rate.	Returning Officer.	—
Town or townships containing a population of six thousand having commissioners appointed under any local and personal Act for purposes similar to the purposes of the above-mentioned Acts.	The town or township commissioners.	Any rate which the commissioners are authorized to make and levy in any town or township under or by virtue of any local and personal Act in force in such town or township.	The chairman of the town or township commissioners.	The clerk to the town or township commissioners. 5

10

SCHEDULE (B.)

To [name and address].

15

I hereby give you notice that, under the powers conferred upon me by the Municipal Elections (Ireland) Act, 1877, I shall, from and after the day of next, require you to pay the sum of pounds on the day of in every year [or by equal half-yearly or quarterly payments on the days to be stated], in addition to the rent previously paid by you in respect of the [house or warehouse, offices, counting-house, shop, &c.] and premises occupied by you at [describe situation]. 20

(Signed)

25

Address.

Date.

SCHEDULE (C.)

FORM (1.)

NOTICE OF CLAIM AS OWNER [OR OCCUPIER].

30

To the Town Clerk [or Clerk to the Commissioners, &c.] of the Town of

I hereby give you notice that I claim to have my name entered as owner [or occupier] in the register of voters of this town, and

that I am the owner [or occupier] of [here describe the lands or premises, house, warehouse, counting house, office, or shop then owned or occupied by the claimant] in the said town, which is rated as being of the net annual value of pounds or upwards, and that

5 I receive pounds [and pay pounds] or pay pounds per annum as rent in respect thereof, and that I have owned [or occupied] the said premises [or the said premises and other premises, describing such other premises within the said town] for the space of [years or months] last past, and that I have paid

10 or contributed to the local rate within the meaning of the Municipal Elections (Ireland) Act, 1877, in respect of the said premises in proportion to my interest therein, and that I claim to be entitled to votes in respect thereof.

Dated the day of in the year (Signed) A.B.

15 [Here state address.]

[If the claim is made on behalf of a corporation, company, or any department of the Government, the above form should be followed mutatis mutandis; the name and address of the proxy should be added, and a copy of the resolution, minute, or order appointing him; and the form should be signed by the secretary or some other officer on behalf of the corporation, company, or department, as the case may be.]

20

SCHEDULE (C.)

FORM (3).

NOTICE OF OBJECTION.

To the town clerk of the town of _____ [or to A.B.,
 5 giving the name and address of the person objected to].

I hereby give you notice that I object to the name of
 [or to your name] [describe the person objected to as described in
 the list of the town clerk, &c.] being retained on the list of voters
 of this town; or [as being entered on the list of voters as being
 10 entitled to more than _____ votes].

Dated the _____ day of _____ in the year _____
 (Signed) A.B.

[here state the address and property in respect of which he
 is entitled to be qualified.]

15 _____ Town Clerk.

SCHEDULE (C.)

FORM (4).

LIST OF CLAIMANTS.—OWNERS [or OCCUPIERS].

The following Persons claim to have their names inserted as
 20 Owners [or Occupiers] on the register of voters of the town of

Number.	Christian Name and Surname of each Claimant.	Residence.	Description of Qualifying Property.	Number of Votes claimed.
25 1				
2				
3				
4				
&c.				

30 Dated the _____ day of _____ in the year _____
 (Signed) A.B., Town Clerk.

A.D. 1877.

SCHEDULE (C.)

Form (5).

LIST OF PERSONS OBJECTED TO.

Owners [or Occupiers] List.

The following Persons have been objected to as not being entitled to have their Names retained on, or as not entitled to the number of votes mentioned in the list of voters for the town of

Number.	Christian Names and Surnames.	Residence.	Description of Qualifying Property.	Number of Votes claimed.	Number of Votes objected by Objector.	10
1						
2						
3						
4						
&c.						15

Dated the day of in the year
(Signed) A.B., Town Clerk.

Local Government in Towns (Ireland).

A

B I L L

To reform and assimilate the Systems of
Local Government in force in Towns in
Ireland.

(Prepared and brought in by
Mr. Parnell and Sir Arthur Guinness.)

*Ordered, by The House of Commons, to be Printed,
9 February 1877.*

[Bill 34.]

Under A 02.